

Michigan Indigent Defense Commission Meeting Minutes

The meeting was held in person at the Michigan Bankers Association building in Lansing, MI. Remote access via Zoom was also available for members of the public and Commissioners in compliance with the Open Meetings Act. The MIDC website and meeting notice included information for members of the public on how to participate.

December 21, 2021

Time: 9:00 am

Michigan Bankers Association
507 S Grand Ave, Lansing, MI 48933

Commission Members Participating

The following members participated in person in Lansing:

- Presiding Officer Christine Green
- Joshua Blanchard
- Tracey Brame
- Paul Bullock
- Hakim Crampton
- Andrew DeLeeuw
- Judge James Fisher
- James Krizan
- Debra Kubitskey
- Margaret McAvoy
- John Shea
- William Swor
- Rob VerHeulen

The following members participated remotely under exemptions from the Open Meetings Act. During roll call, these Commissioners were asked to identify the county, city, town or village and state from which they are attending, that information is reflected below in parentheses following each Commissioner's name.

- Kimberly Buddin (Novi, Oakland County, Michigan)
- Tom McMillin (Oakland County, Michigan)
- Cami Pendell (Eaton County, Michigan)
- Gary Walker (Chocolay Township, Marquette County, Michigan)

Presiding Officer Green called the Michigan Indigent Defense Commission (“MIDC” or “the Commission”) meeting to order at 9:00 am.

Introduction of Commission members and guests

Presiding Officer Green welcomed attendees to the meeting. No guests wished to introduce themselves.

Public Comment

The Commission received public comment from the following individuals: Jill Tynes, Robin Dillard, Viola King, Kimberley Dorsey, Angela Peterson, Neil Leithauser and Matthew Knecht.

Additions to agenda

There were no additions to the agenda. Commissioner McAvoy moved that the agenda be adopted as presented. Commissioner Bullock seconded. The motion carried.

Consent Agenda

Commissioner Kubitskey moved that the consent agenda containing the minutes from the November 22, 2021 meeting be adopted. Commissioner VerHeulen seconded. The motion carried.

Presiding Officer Report

Presiding Officer Green made the following standing and ad hoc committee appointments:

- Rob VerHeulen to the Indigence and Compensation, Line Item Veto committees and to the newly formed committee to study unexpended grant funds.
- Paul Bullock to the Performance Standards committee and the committee that reviews increases to direct service costs.

She established an ad hoc committee to study unexpended grant funds. The following members were appointed to this new committee: Andrew DeLeeuw (Chair), Rob VerHeulen, Tracey Brame, Margaret McAvoy and James Krizan.

Commission Business

Standing Committee Reports

Presiding Officer Green provided a report from the Executive Committee. The committee recommended that the Commission adopt a policy that persons wishing to make public comment identify themselves by their legal name and either (a) appear in person or (b) have their camera on while making their comments. Commissioner Walker moved that this policy be adopted. Commissioner Blanchard seconded. The motion carried.

Commissioner Walker provided an update from the Executive Director Hiring Committee. Ms. Staley has been offered a two-year contract term by the MIDC to begin January 9, 2022 and that contract is being finalized with the Department of Licensing and Regulatory Affairs.

Commissioner Brame provided an update from the Training and Education Committee. Commissioner Brame moved that the Commission adopt the proposed Guidelines for Trainer and Training Providers. Commissioner DeLeeuw seconded. The motion carried.

Commissioner Shea provided a written report from the Nominations Committee. The committee recommends that the following Commissioners serve as officers beginning January 2, 2022: Christine Green, Chair, Tracey Brame, Vice Chair and Gary Walker, Secretary. The committee recommends that Judge Fisher serve as an ex officio member of the Executive Committee.

Commissioner McAvoy moved to adopt the officers nominated in the committee report for a term beginning January 2, 2022. Commissioner Krizan seconded. The motion carried.

Presiding Officer Green provided an update on the Strategic Planning Committee's work and a draft report for the Commission's review. The document will be considered at a special meeting on January 24, 2022. Commissioner Shea moved to approve funding if available for the design and publication of the final Strategic Plan. Commissioner McAvoy seconded. The motion carried.

Ms. McCowan and Dr. Siegel presented the Urban Institute's Evaluation of the MIDC's Minimum Standards for Indigent Defense Services. Judge Fisher moved to accept and submit the report to LARA's Office of Policy and Legislative Affairs pursuant to MCL 780.985(7). Commissioner Kubitskey seconded. The motion carried.

FY21 Compliance Updates – City of Wyoming Plan Change Request

The City of Wyoming requested an amendment to its Compliance Plan and Cost Analysis for FY21 to create an Indigent Defense Coordinator/Managed Assigned Counsel full time employee position for the regional plan that includes four funding units and three third class district courts (Grandville, Kentwood, Walker and Wyoming). Judge Fisher moved that the City of Wyoming's request to change its FY21 compliance plan be adopted. Commissioner VerHeulen seconded. The motion carried.

Update on FY22 Compliance Plan and Cost Analysis Submissions

Oakland County requested a plan change to amend its fee schedule to clarify that extraordinary fees are available to attorneys handling non-capital cases. The County does not believe that this request will result in a budget shortage because of continued reduced case levels and fewer trials due to the pandemic. Commissioner Shea moved that the plan change be adopted. Commissioner Brame seconded. The motion carried.

The Commission will hold a special meeting on January 24, 2022 at 10:00 am. The next regular meeting will be held February 15, 2022 at 11:00 am.

Commissioner Swor moved that the meeting be adjourned. Commissioner Kubitskey seconded. The motion carried. The meeting adjourned at 12:59 pm.

Respectfully submitted,

Marcela Westrate